

**FAIRPORT MUNICIPAL COMMISSION**



**VILLAGE OF FAIRPORT**

OPERATING THE  
CONSUMER OWNED

**MUNICIPAL LIGHT, POWER AND WATER SYSTEMS**

31 SOUTH MAIN STREET P.O. BOX 500 FAIRPORT, NEW YORK 14450  
(716) 223 - 0440

October 15, 1998

Clerk of the Bankruptcy Court  
2929 North Central Avenue  
P.O. Box 34151  
Phoenix, Arizona 85067-4151

RE: Bankruptcy Case # 98-12547  
Through 98-12570-PHX-CGC  
Boston Chicken, Inc.  
F.M.C. Acct. # 95-0555.000

Dear Sir or Madam:

In reference to the 10/7/98 Notice of Hearing regarding the above-mentioned case, please accept this letter as our formal objection to the debtor's motion for the Court to enter an order under Chapter-11/Section-366 of the bankruptcy code. Instead, the Fairport Municipal Commission would like to go on record as saying it will only consent to the continuation of electric service, if the Debtor-In-Possession pays a \$1,950.00 security deposit. This deposit assessment, which is equal to two months worth of expected electric service costs, is a normal requirement for all new commercial customers. It allows us to take into account two important business factors which are; (1) we are always billing our customers for something they have already used and (2) we cannot turn customers off for nonpayment until they have already used approximately two and a half months worth of electric service.

I trust the fairness of our above-mentioned objection is self-evident and that the debtor's motion for order under Section-366 will be modified accordingly. However, if you do require further information regarding our objection, please feel free to contact me immediately.

Sincerely,

Patrick T. Kehoe  
Supervising Accountant

Cc: K. Moore & D. Rossi - F.M.C.

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